

GIPSA, Packers and Stockyards Programs
Office of Field Operations
Regional Offices

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Agricultural Marketing Specialist (Regulatory)
GS-1146-12

INTRODUCTION

The Packers and Stockyards Programs (P&SP) administers the Packers and Stockyards Act of 1921 (Act), as amended. The Act is a fair trade practice, and financial protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries. Members of the livestock, meat, and poultry industries are also protected against unfair or monopolistic practices of competitors. The Act also protects consumers against unfair business practices in the marketing of meats and against restrictions on competition that could unduly raise meat prices.

The Act requires that stockyard companies, auction markets, livestock market agencies, livestock dealers, meat packers, poultry processors, and live poultry dealers, whose operations are subject to the Act, maintain such records that will disclose in detail all transactions involved in their business including their true ownership. P&SP makes periodic and special examinations of reports and records of persons and firms subject to the Act in order to ascertain whether they are operating in full compliance with the Act.

Regional offices are responsible for carrying out assigned functions and activities in enforcement of the provisions of the Act and regulations issued under its authority in assigned geographic regions.

DUTIES AND RESPONSIBILITIES

A. General Overview

Serves as an Agricultural Marketing Specialist in the regional office, primarily by enforcement of the jurisdictional and trade practice provisions of the Act. Conducts and/or directs investigations and related activities pertaining to large and complex firms operating subject to the Act. Incumbent assists in formal proceedings. Serves as a mentor to less experienced marketing specialists in the regional office.

Carries out activities of the Trade Practice Unit of the regional office in order to effectively integrate the unit's responsibilities with those of the other work units within the office. Assures work product is relative to program objectives and work is timely completed. Reviews work products of less experienced marketing specialists.

B. Investigations

Independently, or as a leader of an investigating team, plans, organizes, and/or conducts complex trade practice investigations of large and diverse registrants, packers and live poultry dealers who operate within the region and are subject to the Act.

Conducts investigations of unfair, unjustly discriminatory, or deceptive practices or devices in the livestock, meat, and poultry industries and markets in order to identify potential violations of the Act. Enforces the registration and bonding provisions of the Act. Develops and implements analytical techniques for sophisticated, proactive monitoring of the marketing of livestock, meat, and poultry.

Ascertains that registrants, packers, and live poultry dealers maintain adequate records as required by the Act. Provides advice concerning the records subject firms must maintain, and, when inadequacies are found, communicates the necessary adjustments to effect compliance.

Provides advice and guidance on the investigations, monitors the technical accuracy, and reviews the analysis, concepts, and conclusions upon completion of the project.

Maintains a current knowledge of structure, performance, marketing conditions, and behavior in the livestock, poultry, and meat industries. Identifies emerging developments that may have important effects upon trade practices and competitive relations in the livestock, poultry, and meat industries. As a result of the Agency's surveillance and investigative activities, defines the logic by which those developments relate to enforcement responsibilities.

Works closely with the Senior Marketing Specialist and Trade Practice Unit Supervisor in the preparation of regional office work plans, schedules, and in the development and application of investigation procedures.

Identifies livestock, poultry, and meat industry data necessary to conduct investigations and monitor behavior. Develops and implements methods for obtaining this data from both primary and secondary sources. Reviews relevant published articles that may enhance the surveillance and investigative activities of the Agency.

Individually, or in cooperation with other regional personnel, conducts investigations and interviews persons involved. Takes statements under oath and examines records and other evidence of potential violations. Mentors and provides technical direction in conducting investigations to less experienced marketing specialists in the regional office. Occasionally works with other government agencies in planning and conducting investigations.

As time permits or as workload demands, the incumbent performs other duties as assigned.

C. Formal Proceedings

Works with Legal Specialists and Department attorneys in conducting investigations, preparing investigative reports, compiling evidence, and preparing proposed complaints for use in hearings and litigation. Assists in preparing material for use in questioning witnesses. Works with other government agencies in designing and conducting surveillance and investigations. Serves as a technical expert in reviewing and resolving issues specific to the investigations.

Prior to a hearing, the incumbent frequently assists attorneys in the Office of the General Counsel or Department of Justice in the assimilation of evidence, determination of proposed findings, conclusions, and recommended order. Incumbent assists in the preparation of exhibits and other basic material requisite to the preparation and presentation of the case.

Serves as a technical expert in reviewing and resolving issues specific to the investigation in preparing for a formal proceeding.

With the advice and concurrence of the Trade Practice Unit Supervisor, the incumbent makes oral and written presentations describing investigation procedures and results, and relevant developments to other interested Agency personnel.

D. Policy Interpretation and Application

Provides technical direction to less experienced Agricultural Marketing Specialists and State officials engaged in Federal-State cooperative enforcement activities.

Explains the basis and application of new and existing policies and regulations to producers and farm groups, persons and firms in the regulated industries, and to State officials. This requires explanation of the basis in law for such policies as well as their relevance to the overall objectives of administration of the Act. These educational efforts are designed to prevent violations by informing persons and firms subject to the Act of its jurisdiction, provision, and requirements.

Attends meetings and addresses regional and State associations and conventions of industry associations to explain the provisions of the Act and policies of the Agency. Attends meetings of government officials to discuss mutual interests. Confers with company officials and other industry representatives as necessary.

FACTOR LEVELS

1. Knowledge Required by the Position - Knowledge of livestock, live poultry and meat marketing methods, and techniques in order to direct and/or independently conduct complex investigations of firms in the livestock, meat, and poultry industries.

Knowledge of Agency programs, the Packers and Stockyards Act, regulations, policy statements, rules of practice, and controlling administrative and judicial decisions in order to determine the firms' compliance with the trade practice and related provisions of the Act.

Skill in developing investigative work plans and devising and applying modifications to conventional investigative techniques in order to carry out investigations of firms in different complex segments of the industry.

Incumbent must have the ability to use Agency computer programs to create and use spreadsheets, databases, graphs, and charts, and perform word processing functions.

Incumbent must possess skills in verbal and written communication in order to plan, direct and/or conduct investigations, prepare and present findings, and effectively support recommendations on significant or controversial issues. Must have skill in interviewing techniques.

It is important for incumbent to have a working knowledge of the livestock, meatpacking, and poultry industries.

2. Supervisory Controls - The incumbent is under the general supervision of the Trade Practice Unit Supervisor who provides administrative and broad program supervision. The Trade Practice Unit Supervisor discusses the availability of less experienced Agricultural Marketing Specialists to be assigned to a team under the direction of the incumbent, other resources available, approximate time lines. Priorities regarding the concerted enforcement of certain problem areas of particular concern to

Agency are relayed to the incumbent through the Trade Practice Unit Supervisor. Technical guidance in the form of possible approaches to very unusual or sensitive problems is available from Senior Marketing Specialists and the Trade Practice Unit Supervisor.

As a team leader, plans and carries out the assignment, directs the work of other Agricultural Marketing Specialists. Coordinates the work with office employees engaged in other phases of the investigation, resolves most of the conflicts that arise, and develops changes to the investigation plan and methodology as needed. Keeps the supervisor informed of progress, potentially controversial findings of violations of the Act, and alerts the supervisor of practices discovered in the investigation which may be present in other regions or which may impact upon other Agency programs. Work is reviewed for soundness of overall approach, compatibility with intended objectives, feasibility of recommendations, and to ensure the incumbent achieves maximum use of allocated resources.

3. Guidelines - Guidelines consist of the previous investigative reports, Employee Manual, the Act, regulations, policy statements, rules of practice, and formal orders and stipulations. The guidelines are useful in providing a framework or principles upon which the incumbent develops plans for carrying out the work. Handles difficult and complex investigations and assignments that usually are not fully precedent by previous similar efforts. Due to the complexity of the investigations and subsequent lack of guidelines, the incumbent must exercise considerable judgment in using the broad framework provided by the guidelines to adapt and develop new and imaginative investigative methods and techniques.

4. Complexity - The assignments entail the full cycle of complete trade practices of the largest and most complex firms engaged in the various phases of livestock, meat, and poultry marketing whose operational nature brings them under jurisdiction of the Act. The essential purpose of the work is to determine if the firm being investigated is in compliance with the Act.

Plans, coordinates, and conducts and/or leads investigations of complex livestock marketing practices. The operations and systems of firms investigated are in a state of change as a result of changing market and economic conditions. Unconventional and sometimes haphazard documentation tends to cloud the exact nature of many transactions. The size and complexity of the firms investigated and the regulatory nature of the investigations contribute to the difficulty of the work.

5. Scope and Effect - The purpose of the work is to determine industry compliance with the provisions of the Act. Performs and/or leads complex investigations of the operations of large and diverse firms. Develops unique and innovative investigation plans and methodology. The work is of critical importance in determining those instances in which the Agency will file formal complaints alleging violation of the Act and in determining the necessary evidence that the Agency needs to support such allegations. The effect is an efficient and effective regional trade practice program, with skilled and proficient investigators. Such a program results in improved stability in the industry. The work of the position assures protection of the sellers of livestock, meat, and poultry from unfair, deceptive, unjustly discriminatory practices, and ultimately benefits the consumer in fair market pricing.

6. Personal Contacts - Personal contacts are with owners, officers, management officials, production personnel, and accountants of the subject firms, legal counsel, and other members of the trade, headquarters staff, federal, State, and local government officials engaged in related regulatory activities, and U.S. Department of Justice attorneys.

7. Purpose of Contacts - The purpose of contacts is to explain Agency requirements relative to the Act and Regulations. Explains requirements concerning the adequacy of records and arranges for access to all information, records and individuals needed to conduct a complete investigation. Presents findings to representatives of the firm in investigation closeouts. Justifies conclusions and uses persuasion in gaining acceptance of critical findings and recommended corrective actions. Other contacts are for the purposes of assimilating evidence, presenting findings and other information, and coordinating and assisting in providing technical expertise in formal proceedings against firms charged with violations of the Act.

8. Physical Demands - The work is primarily sedentary. There is some carrying of equipment and walking over rough terrain at site visits.

9. Work Environment - Travel is required. The work is usually performed in an office setting with occasional exposure to uncomfortable conditions such as stockyards, dealer buying stations, meat packing plants, and poultry processing plants.